IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

PATRICK N. ANDERSON, :

Plaintiff, :

vs. : CIVIL ACTION 04-0058-CG-M

CITY OF PRICHARD :

(THE BLACK COMMUNITY)

:

Defendant.

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(A) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice for lack of subject matter jurisdiction.

DONE and ORDERED this 12th day of July, 2005.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE